

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 7 2016

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOROTHY MCKAY; DIANA KILGORE;
PHILLIP WILLMS; FRED KOGEN;
DAVID WEISS; THE CRPA
FOUNDATION,

Plaintiffs - Appellants,

v.

SHERIFF SANDRA HUTCHENS,
individually and in her official capacity as
Sheriff of Orange County, California;
ORANGE COUNTY SHERIFF
CORONER DEPARTMENT,

Defendants - Appellees.

No. 12-57049

D.C. No.
8:12-cv-01458-JVS-JPR

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
James V. Selna, District Judge, Presiding

Argued and Submitted October 7, 2013
Pasadena, California

Before: PREGERSON, WARDLAW, and TALLMAN, Circuit Judges.

On November 12, 2013, we vacated submission and stayed proceedings

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

pending resolution of *Peruta v. County of San Diego*, No. 10-56971. We now resubmit the case and affirm the district court's judgment.

In *Peruta*, 824 F.3d 919 (9th Cir. 2016) (en banc), we held that a member of the general public does not have a right under the Second Amendment to carry a concealed firearm in public, and that a state may impose any restriction, including a showing of good cause, on concealed carry. *Id.* at 939. The San Diego and Yolo County Sheriff's Department policies interpreting the California statutory good cause requirement therefore survived a Second Amendment challenge. *Id.* For the same reasons, the Orange County Sheriff-Coroner Department's policy regarding good cause to issue a concealed carry license does not violate the Second Amendment, and we affirm the district court's order denying a preliminary injunction to prohibit enforcement of the policy.

AFFIRMED.